

Atty Docket No.: JCLA12566

Serial No.: 10/801,629

REMARKS**Present Status of the Application**

The Office Action objected claims 1, 3, 9, 10, 11, and 19 because of some required corrections.

The Office Action rejected claims 1-13, and 15-20 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

The Office Action rejected claims 1-3, 5, and 15-19 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Office Action rejected claims 1, 6, 7, and 8 under 35 U.S.C. 102(e) as being anticipated by Chou (US- 2003/0048120; hereinafter "Chou").

The Office Action rejected claims 5 and 13 under 35 U.S.C. 103(a), as being unpatentable over Chou in view of Hisakado et al. (US- 6,236,629; hereinafter "Hisakado").

The Office Action allowed claim 14, and stated that comments regarding allowability of claims 2-4, 9-13, and 15-20 are not made because of the rejections under 112, first paragraph as outlined above.

Applicant has amended claims 1, 2, 3, 6, 10, 11 and 14-19 to further improve clarity. Applicant has also canceled claims 4 and 9. After entry of the foregoing amendments, claims 1-3, 5-8, and 10-20 remain pending in the present application, and reconsideration of those claims is respectfully requested.

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Discussion of Office Action Objections

According to the Examiner's advice, Applicant has amended as the following:

In claims 1, 3, 9 and 11, "feedbacking" has been amended to "feeding".

In claim 19, "low-pass filer" has been amended to "low-pass filter".

In claim 10, "an average" has been amended "the average".

Furthermore, Applicant has amended in claim 18, from "the feedback signal generating circuit" to "the clock signal generating circuit".

Discussion of Office Action Rejections under 35 U.S.C. 112

Claims 1-13, 15-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

Examiner cannot ascertain where in the specification support is found for the limitation of "generating the wobble clock signal by "feedbacking" the wobble signal back itself" of claim 1.

Applicant reminds that the invention at least describes related parts of "The selection circuit 130 determines whether to enable a deformation enabling signal ME according to the deformation signal MS, such that the selection circuit 130 can select the feedback of the wobble clock signal WBCLK as its signal source for generating the wobble clock signal WBCLK.", in paragraph [0027] of the specification.

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Examiner cannot also ascertain where in the specification support is found as to enable one skilled in the art to know or obtain "different status" recited in claims 1, 2, 6, 15, 16 and 18.

As known by one skilled person in the art can easily know, that different status of the wobble signal represents the wobble signal is in different phases. Therefore, though the specification does not describe "different status" in detail, one skilled in the art can know or obtain "different status" according the disclosure of the specification.

Claims 9 and 20 recites, "when a defect is found on an optical disc" and "a defect enabling signal which is generated when a defect is found on the recordable optical disc". Examiner cannot also ascertain where in the specification support is found as to enable one skilled in the art as how to obtain such defects in an optical disc to make the invention.

Applicant reminds that the invention at least describes related parts of "The OR gate 132 receives a defect enabling signal DE and the deformation enabling signal ME, wherein the defect enabling signal DE is generated when the defect is found on the optical disc.", in paragraph [0029] of the specification. Further, in paragraph [0026] of the specification, the invention also describes how to generate a defect enabling signal, such as, "If the selection circuit 130 selects the wobble clock signal WBCLK as its output, the pregroove absolute time data generated by the ATIP decoding circuit 118 is not the real pregroove absolute time data on the recordable disc, instead it is a set of fake pregroove absolute time data. When a defect is found on some area of the optical disc, the clock generating circuit 110 generates this set of fake pregroove absolute time data, which is used to replace the original pregroove absolute time

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data.” In addition, defects in an optical disc should be easily obtained one skilled in the art by some conventional methods.

Examiner cannot ascertain where in the specification support is found for the limitation of “the wobble signal is processed by a fake signal removing process in advance” recited in claims 5 and 13.

Applicant reminds that the invention at least describes related parts of “the fake signal removing circuit 104 receives the wobble signal Wobble, removes the fake signals from the wobble signal Wobble, and sends the signal to the multiplexer 134”, in paragraph [0030] of the specification.

Claims 1-3, 5, and 15-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

To response the rejections, Applicant has amended or added some limitations in claims 1, 15, and 17 as the following:

In claim 1, “comparing a width of the wobble signal at different status with an average” has been added some limitations to “comparing a width of the wobble signal at different status with an average, wherein the average is obtained by averaging a plurality of counting data generated by counting the width of the wobble signal at different status”.

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In claim 15, "comparing a width of the wobble signal on different status with an average" has been amended and added some limitations to "a width of the wobble signal at different status, wherein the average is obtained by averaging a plurality of counting data generated by counting the width of the wobble signal at different status."

In claim 17, "the average of the counting data" has been amended to "an average of the counting data".

Discussion of Office Action Rejections under 35 U.S.C. 102

Claims 1, 6, 7, and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Chou.

Amended claim 1 now recites "[a] method for generating a wobble clock signal, comprising: generating a wobble clock signal according to a wobble signal, wherein the wobble signal is generated when an optical disc is processed; comparing a width of the wobble signal at different status with an average, wherein the average is obtained by averaging a plurality of counting data generated by counting the width of the wobble signal at different status; and generating the wobble clock signal according to either one of the following: continuously generating the wobble clock signal according to the wobble signal; and generating the wobble clock signal by feeding the wobble signal back to itself".

Chou discloses that a data circuit 60 comprises a reference clock generator 62 to generate a reference clock 66, a counter 72, a digital average processor 74 to calculate an average number 76, a frequency divider 68 to generate a wobble clock 70, a comparator 78 to generate an absolute time in pre-groove (ATIP) signal 80, a waveform shaping processor 82 to

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shape the ATIP signal 80 into a time data signal 84, and a synchronizer 86 to generate an ATIP clock 88, in FIG. 7. After extracting a wobble signal 64 from a compact disk, the wobble clock 70, the time data signal 84, and the corresponding ATIP clock 88 are generated by signal analysis of the wobble signal 64 by the data circuit 60. (Paragraphs [0033] and [0034] of Chou) Chou does not at least disclose or teach the limitation of "generating the wobble clock signal by feeding the wobble signal back to itself".

Moreover, because of generating the wobble clock signal by feeding the wobble signal back to itself, the subject matter of claim 1 can generate a stable wobble clock signal to control the optical disc apparatus when the wobble signal becomes deformed or a defect on the optical disc is found, such that a stable rotation speed can be maintained when the optical disc apparatus is operated in a CD burning mode. That is, comparing with Chou, the subject matter of claim 1 can produce unexpected results.

For at least the foregoing reasons, Applicant respectfully submits that the three references combined do not teach each and every element in amended claim 1. Independent claim 1 patently defines over the prior art references, and should be allowed.

In *Allowable Subject Matter*, Examiner states that comments regarding allowability of claims 2-4, 9-13, and 15-20 are not made because of the rejections under 35 U.S.C. 112, first paragraph as outlined above. Applicant has discussed in the above that claim 9 should be supported by the specification, and therefore claim 9 should be allowed. Now, Applicant has

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added limitations of claim 9 into claim 6, and canceled claim 9. Therefore, amended claim 6 should be allowed.

Because of claims 7 and 8 depending on independent claim 6, claims 7 and 8 should be allowed.

Discussion of Office Action Rejections under 35 U.S.C. 103

Claims 5 and 13 are rejected under 35 U.S.C. 103(a), as being unpatentable over Chou in view of Hisakado.

As discussed in the above, Chou does not at least disclose or teach the limitation of **“generating the wobble clock signal by feeding the wobble signal back to itself”**. Further, Hisakado does not at least disclose or teach the limitation of **“generating the wobble clock signal by feeding the wobble signal back to itself”**. Therefore, Chou in view of Hisakado does not teach or disclose the subject matter of amended claim 1. Accordingly, independent claim 1 should be allowed over Chou in view of Hisakado.

Because of claim 5 depending on independent claim 1, claim 5 should be also allowed.

Because independent claim 6 should be allowed, and claim 13 depends on claim 6, claim 13 should be also allowed.

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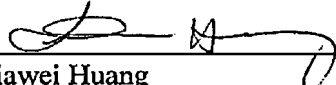
CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1-3, 5-8, and 10-20 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Date: 4/30/2007

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Respectfully submitted,
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